

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	3:13-CR-055-RCJ-(WGC)
	)	
BRIAN JAMES PYATT,	)	
	)	
Defendant.	)	

**PRELIMINARY ORDER OF FORFEITURE**

This Court finds that on December 16, 2013, defendant BRIAN JAMES PYATT pled guilty to Count One of a One-Count Criminal Indictment charging him with Felon in Possession of a Firearm in violation of Title 18, United States Code, Section 922(g)(1). Indictment, ECF No. 1; Change of Plea, ECF No. 21; Plea Agreement, ECF No. 22.

This Court finds defendant BRIAN JAMES PYATT agreed to the forfeiture of the property set forth in the Plea Agreement and the Forfeiture Allegation of the Criminal Indictment. Indictment, ECF No. 1; Change of Plea, ECF No. 21; Plea Agreement, ECF No. 22.

This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States of America has shown the requisite nexus between property set forth in the Plea Agreement and the Forfeiture Allegation of the Criminal Indictment and the offense to which defendant BRIAN JAMES PYATT pled guilty.

The following assets are subject to forfeiture pursuant to Title 18, United States Code, Section 924(d)(1) and Title 28, United States Code, Section 2461(c):

- 1           1. Browning Model 1900 brand, 7.65mm caliber handgun, Serial Number 301320; and
- 2           2. any and all ammunition
- 3 (all of which constitutes "property").

4           This Court finds the United States of America is now entitled to, and should, reduce the  
5           aforementioned property to the possession of the United States of America.

6           NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the  
7           United States of America should seize the aforementioned property.

8           IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all right, title, and interest of  
9           BRIAN JAMES PYATT in the aforementioned property is forfeited and is vested in the United States  
10          of America and shall be safely held by the United States of America until further order of the Court.

11          IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of America  
12          shall publish for at least thirty (30) consecutive days on the official internet government forfeiture  
13          website, [www.forfeiture.gov](http://www.forfeiture.gov), notice of this Order, which shall describe the forfeited property, state the  
14          time under the applicable statute when a petition contesting the forfeiture must be filed, and state the  
15          name and contact information for the government attorney to be served with the petition, pursuant to  
16          Fed. R. Crim. P. 32.2(b)(6) and Title 21, United States Code, Section 853(n)(2).

17          IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any individual or entity  
18          who claims an interest in the aforementioned property must file a petition for a hearing to adjudicate  
19          the validity of the petitioner's alleged interest in the property, which petition shall be signed by the  
20          petitioner under penalty of perjury pursuant to Title 21, United States Code, Section 853(n)(3) and  
21          Title 28, United States Code, Section 1746, and shall set forth the nature and extent of the petitioner's  
22          right, title, or interest in the forfeited property and any additional facts supporting the petitioner's  
23          petition and the relief sought.

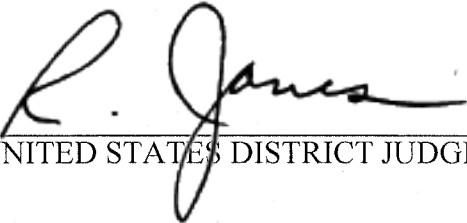
24          IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any, must be filed  
25          with the Clerk of the Court, Bruce R. Thompson U.S. Courthouse and Federal Building, 400 South  
26          Virginia Street, 3rd Floor, Reno, NV 89501.

1 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the petition, if any,  
2 shall be served upon the Asset Forfeiture Attorney of the United States Attorney's Office at the  
3 following address at the time of filing:

4 Greg Addington  
5 Assistant United States Attorney  
6 100 West Liberty Street, Suite 600  
7 Reno, NV 89501

8 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described herein  
9 need not be published in the event a Declaration of Forfeiture is issued by the appropriate agency  
10 following publication of notice of seizure and intent to administratively forfeit the above-described  
11 property.

12 Dated this 3rd day of January, 2014.

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15 UNITED STATES DISTRICT JUDGE  
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